

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,

Debtor.<sup>1</sup>

PROMESA  
Title III

No. 17 BK 3283-LTS  
(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO HIGHWAYS AND  
TRANSPORTATION AUTHORITY (“HTA”),

Debtor.

PROMESA  
Title III

No. 17 BK 3567-LTS

**INFORMATIVE MOTION OF HTA  
MOVANTS SUBMITTING REDACTED DOCUMENTS IN  
COMPLIANCE WITH THE ORDER ON MOTIONS TO SEAL (ECF NO. 13351)**

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

To the Honorable United States District Judge Laura Taylor Swain:

Assured Guaranty Corp., Assured Guaranty Municipal Corp. (together, “Assured”), Ambac Assurance Corporation (“Ambac”), National Public Finance Guarantee Corporation (“National”), and Financial Guaranty Insurance Company (“FGIC”) (collectively, the “Movants”) respectfully submit this informative motion pursuant to the Court’s *Order on Motions to Seal* (ECF No. 13351)<sup>2</sup> (the “Order”) and respectfully state as follows:

1. On April 30, 2020, Movants filed the *Reply in Support of Motion of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company for Relief from the Automatic Stay, or, in the Alternative, Adequate Protection* (ECF No. 12996, and ECF No. 778 in Case No. 17-BK-3567-LTS) (the “HTA Reply”) and the *Declaration of William J. Natbony in Support of Reply in Support of Motion of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company for Relief from the Automatic Stay, or, in the Alternative, Adequate Protection* (ECF No. 13004, and ECF No. 780 in Case No. 17-BK-3567-LTS) (the “Natbony Reply Declaration”). Portions of the HTA Reply and certain exhibits accompanying the Natbony Reply Declaration were filed under seal to comply with the *Stipulation and Protective Order* (ECF No. 12912) applicable to this proceeding.

2. On May 1, 2020, Movants filed the *Motion of Ambac Assurance Corporation, Assured Guaranty Corp., Assured Guaranty Municipal Corp., National Public Finance Guarantee Corporation, Financial Guaranty Insurance Company, the Bank of New York Mellon, and U.S. Bank*

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<sup>2</sup> Unless otherwise indicated, “ECF No.” refers to the docket in Case No. 17-BK-3283-LTS.

*Trust National Association to File Documents Related to Lift Stay Motions Under Seal* (ECF. No. 13016, and ECF. No. 784 in Case No. 17-BK-3567-LTS) (the “Motion to Seal”).

3. On May 4, 2020, the Court entered the *Order Granting Motion to Seal for Limited Duration and for Supplemental Briefing* (see ECF No. 13029, and ECF No. 786 in Case No. 17-BK-3567-LTS), temporarily granting the Motion to Seal.

4. On May 5, 2020, Movants filed the Natbony Reply Declaration and all accompanying exhibits under seal (ECF Nos. 13039 & 13040, and ECF Nos. 789 & 790 in Case No. 17-BK-3567-LTS).<sup>3</sup>

5. On May 18, 2020, AAFAF submitted *Response of the Puerto Rico Fiscal Agency and Financial Advisory Authority to the Court’s Order Granting Motion to Seal for Limited Duration and for Supplemental Briefing* [ECF No. 13029] (ECF No. 13173, and ECF No. 809 in Case No. 17-BK-3567-LTS) (the “AAFAF Response”).

6. On June 2, 2020, the Court entered an Order resolving the Motion to Seal and instructing Movants to “re-file the following [documents] with financial account numbers, taxpayer-identification numbers, and social security numbers (for each, except for the last four digits), and employee non-work contact information and employee signatures redacted,” then listed 19 exhibits which were filed with the Natbony Reply Declaration. (See Order at 4-5, ¶ 6.)

7. On June 1, 2020, Movants<sup>4</sup> re-filed papers in connection with the CCDA and PRIFA Lift Stay briefing with redactions consistent with those proposed by the

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<sup>3</sup> As set forth in Movants’ informative motion of May 6, 2020, Movants encountered a technical issue with the ECF system that prevented them from filing the full Natbony Reply Declaration under seal on April 30, 2020, and which later required Movants to split the filing into two parts. (See ECF No. 13053, and ECF No. 794 in Case No. 17-BK-3567-LTS.)

<sup>4</sup> National is not a party to the CCDA and PRIFA filings. U.S. Bank Trust National Association joined the remaining Movants for the PRIFA filings, and the Bank of New York Mellon joined the remaining Movants for the CCDA filings.

Commonwealth and submitted with the AAFAF Response and directed by the Court. (See ECF No. 13310, 13311, 13312, 13313 & 13315.) Pursuant to the Order, Movants have contacted the court clerk to link these filings to the originally filed redacted and sealed versions of these papers. Accordingly, Movants have complied with the Order with respect to the PRIFA and CCDA lift stay briefing.

8. Pursuant to the Order, Movants submit herewith redacted versions of the following documents that were originally filed under seal as exhibits to the Natbony Reply Declaration, with redactions consistent with those proposed by the Commonwealth and submitted with the AAFAF Response and directed by the Court:

<b>Natbony Reply Decl. Ex.</b>	<b>ECF (under seal) 17-BK-3282-LTS</b>	<b>ECF (under seal) 17-BK-3567-LTS</b>
21	13039-33	789-33
27	13039-55	789-55
28	13039-56	789-56
29	13039-57, 13039-58, 13039-59, 13039-60, 13039-61, 13039-62, 13039-63	789-57, 789-58, 789-59, 789-60, 789-61, 789-62, 789-63
30	13039-64, 13039-65, 13039-66	789-64, 789-65, 789-66
31	13039-67	789-67
32	13039-68	789-68
33	13039-69, 13039-70, 13039-71, 13039-72	789-69, 789-70, 789-71, 789-72
34	13039-73, 13039-74, 13039-75	789-73, 789-74, 789-75
35	13039-76	789-76
36	13039-77, 13039-78, 13039-79, 13039-80, 13039-81, 13039-82, 13039-83, 13039-84, 13039-85, 13039-86, 13039-87, 13039-88	789-77, 789-78, 789-79, 789-80, 789-81, 789-82, 789-83, 789-84, 789-85, 789-86, 789-87, 789-88
37	13039-89, 13039-90	789-89, 789-90
38	13039-91	789-91
39	13040-1, 13040-2, 13040-3, 13040-4, 13040-5, 13040-6, 13040-7	790-1, 790-2, 790-3, 790-4, 790-5, 790-6, 790-7
40	13040-8, 13040-9, 13040-10, 13040-11, 13040-12	790-8, 790-9, 790-10, 790-11, 790-12

<b>Natbony Reply Decl. Ex.</b>	<b>ECF (under seal) 17-BK-3282-LTS</b>	<b>ECF (under seal) 17-BK-3567-LTS</b>
42 <sup>5</sup>	13040-14, 13040-15	790-14, 790-15
43	13040-16	790-16
46	13040-19	790-19
47	13040-20	790-20

*[Remainder of Page Intentionally Blank]*

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<sup>5</sup> The Order instructed Movants to re-file Exhibit 41, however, the docket numbers listed later in that paragraph correspond with Natbony Reply Declaration Exhibit 42. (See Order at 5 ¶ 6.) A redacted copy of Exhibit 42 is attached hereto. For Exhibit 41, Movants respectfully refer the Court to the public version of the Natbony Reply Declaration filed on April 30, 2020, which attaches Exhibit 41 as ECF No. 13004-44.

Dated New York, New York  
June 8, 2020

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**CERTIFICATE OF SERVICE**

I hereby certify that I filed this document electronically with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to all parties of record in the captioned case.

At New York, New York, the 8th day of June, 2020.

By: /s/ Howard R. Hawkins, Jr.

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